

OFFICE OF THE ELECTION OFFICER  
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
25 Louisiana Avenue, NW  
Washington, DC 20001

Michael H. Holland  
Election Officer

(202) 624-8778  
1-800-828-6496  
Fax (202) 624-8792

September 5, 1991

**VIA UPS OVERNIGHT**

Ron Carey  
c/o Susan Davis, Esquire  
Cohen, Weiss & Simon  
330 West 42nd Street  
New York, NY 10036-6901

T. C. Stone  
Secretary-Treasurer  
IBT Local Union 745  
1007 Jonelle St.  
Dallas, TX 75217

Richard C. Lynn  
Vice President, Labor Relations  
Fleming Companies, Inc.  
6301 Waterford Blvd.  
Oklahoma City, OK 73126-0647

Fleming Companies, Inc.  
4300 Industry Park  
San Antonio, TX 78218

Fleming Companies, Inc.  
Southern Regional Office  
15110 Dallas Parkway  
Suite 500  
Dallas, TX 75248

**Re: Election Office Case No. P-865-LU745-SOU**

Gentlemen:

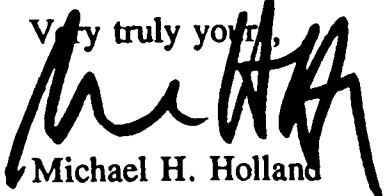
A protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("Rules") by the Committee to Elect Ron Carey ("Carey"). The protest alleges that candidates seeking election to International Office in the IBT and their supporters, aligned with Carey, were denied access to the Dallas, Texas facilities of Fleming Companies, Inc.<sup>1</sup> The investigation conducted by the Election Officer determined that there were no IBT members employed at the Dallas facility. The subsequent suggestion of the protestor, that the denial of access occurred at the Austin, Texas, facility also proved incorrect; the Election Officer investigation determined that Fleming Companies, Inc. has no facilities located in Austin, Texas.

---

<sup>1</sup>The statement in the protest that a similar denial of access at the San Antonio facility of Fleming was cured only after Mr. Carey's supporter contacted the Election Officer is incorrect. While, access was temporarily denied at the San Antonio facility, representatives of Fleming contacted the Election Officer prior to any contact by any other person, to both indicate that the denial was inadvertent and to urge the Election Officer to attempt to contact the campaigners to inform them that access would be permitted at the San Antonio facility.

Ron Carey  
September 5, 1991  
Page 2

Accordingly, Carey now seeks withdrawal of the protest. The Election Officer finds that such withdrawal effectuates the purposes of the *Rules* and approves the withdrawal of the instant protest.

Very truly yours,  
  
Michael H. Holland

cc: Frederick B. Lacey, Independent Administrator  
Larry R. Daves, Regional Coordinator

MHH/cb